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**Human rights situations that require the Council's attention**

# Written statement* submitted by the Nord-Sud XXI - North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 August 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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# Situation of human rights in Libya*

North-South XXI (NSXXI) is deeply concerned about the deteriorating human rights and humanitarian situation in Libya. Massive violations of international human rights and humanitarian law as well as international criminal law have been reported since February 2011 and the situation is aggravating by the day. The humanitarian situation in Libya is worsening and it should be addressed as a matter of top priority. About 2 million people are in urgent need for relief assistance with more than 1 million lacking food and other daily needs, particularly in the east of Libya. Medicine and medical equipment are in acute shortage, including life-saving medicine for chronic diseases such as diabetes, kidney failure and epilepsy. Thousands of newborns and children under seven years old are in urgent need of vaccination. Alarm signals about the tragic situation in Libya are being sent out regularly by independent sources, including the United Nations Support Mission in Libya and the Office of the United Nations High Commissioner for Human Rights since their deployment in the country in 2011.

Violations of human rights and international humanitarian law brought to our attention include extra-judicial killings and assassinations, abduction and enforced disappearances, sexual violence, torture and ill-treatment of detainees, prolonged imprisonment in militia-controlled facilities and forced displacement of civilians etc. Criminal activities, including armed robberies and carjacking have become endemic in Libya. The presence of countless militia groups and the proliferation of weapon represents a major threat to peace in Libya and the unsurmountable affront to enjoyment of human rights and fundamental freedoms.

Since the destruction of the national army during the military attack against Libya spearheaded by a coalition of Western European countries in March 2011, there were no successful efforts to build a sound army to safeguard the country. The State currently exercises nominal control over key departments, in particular those in charge of security and law and order. A number of militia groups and tribal military formations are assuming the role of law enforcement agencies in the country. The supervision of militia groups over the security situation has negatively affected the respect of the rule of law and the enjoyment of human rights and fundamental freedoms. The governance crisis as well as the proliferation of militia groups threatens to plunge Libya into a full-blown internal war and consequently a deeper humanitarian crisis.

Militia groups, particularly members of Libya Dawn, are believed to be behind a systematic campaign of killings and abductions of men and women in many parts of Libya. Hundreds of army officers, independent human rights activists, journalists, liberal opinion-makers and politicians, including women activists have been killed or abducted in different parts of Libya. On 26 July 2013, militiamen killed political activist Mr. Abdelsalam Al-Musmary in Benghazi. On 18 July 2014, militiamen killed Ms. Fariha Al-Barkawi in Derna. She was a women rights activist and former member of parliament. On 25 June 2014, militiamen assassinated Ms. Salwa Saad Bugaighis in her home in Benghazi. She was a prominent lawyer and a member of the dissolved National Transitional Council of Libya. On 23 February 2015, gunmen killed Ms. Intissar Al-Hasairi and her aunt in Tripoli. She was Co-founder of Tanweer "Enlightenment" Group, which is a civil society group that promotes human rights and peace in Libya.

Countless incidents of abductions and enforced disappearances were reported since early 2011 yet very few have been resolved so far. Beside Libyan citizens, foreign nationals, including members of diplomatic missions, are frequently abducted and detained by militia groups. Human rights activist Mr. Abdel-Mouaiz Banoun was abducted in Tripoli on 25 July 2014. On 27 November 2014, militiamen abducted Col. Hassan Gouela (Pilot) in Tripoli. On 19 July 2015 militiamen kidnaped and held captives four Italian construction workers near Zouara in west Libya. In the second week of August 2015, militiamen abducted Mr. Ahmed Elsadig, Chairman of Libya's General Authority on Endowments and Islamic Affairs. He was abducted in Al-Beyda town in east Libya. The whereabouts of all these abductees is unknown and there are serious fears about their lives and security of person.

Militia groups are also responsible for a number of kamikaze attacks in Benghazi, Tobruk, and Labraq. The most publicized incident was the attack against the Libyan House of Representative on Tuesday, 30 December 2014 in the eastern city of Tobruk. The headquarters of the Constitution Drafting Committee in Al-Bedya had been attacked a few months earlier. In all these attacks innocent civilians were either killed or injured.

The Islamic State in Iraq and Levant-Libya (ISIL-Libya) or (Daesh in Libya) is gaining ground in a rapid manner. It is believed to be in control of large parts of Derna and Sirte. ISIL-Libya is responsible for a series of human rights violations in area under its control where strict religious codes are enforced. Attack of ISIL-Libya against the local people in Sirte on 13 and 14 August 2015 left more than 40 casualties. ISIL-Libya reportedly executed 22 young men while they were receiving medical treatment. The militia burned down the hospital where the victims were treated in residential area No. 3. On 15 February 2015, ISIL-Libya released a video depicting the beheading of 20 Egyptians and a Ghanaian national. On 20 April 2015, a video footage showed members of ISIL-Libya killing 28 Ethiopian nationals. The killing reportedly carried out by ISIL-Libya in eastern and southern Libya where 16 captives were shot dead and12 others were beheaded in the eastern coast. It is believed that all these victims were killed because of their religious confessions.

In conclusion, NSXXI reiterates its concern that violations of human rights in Libya have been committed in a systematic manner while the world community watches indifferently. Equally of concern is the disproportionate response of the international community to this dangerous situation despite indications suggesting the need for robust efforts to save lives; end the political stalemate and restore law and order in Libya. It is a scar in the world's collective conscience that it has been divided on the necessary action to save lives in Libya and that the interests of certain members of the United Nations are failing civilians who are in dire need of all kinds of relief and protection. North-South XXI calls on the 30th session of the Human Rights Council to:

1. Condemn violence and violations of international human rights and humanitarian law committed in Libya and demand that the warring parties end all abuses and violations, particularly political assassinations and extra-judicial killings, arbitrary arrest and detention, torture and ill-treatment, forced displacement of civilians.

2. Urge the warring parties in Libya to allow human rights groups and relief agencies free and unhindered access to the victims of violence and abuses committed in the country since February 2011.

3. Urge the UN Security Council to prevent the ongoing violence and violations of human rights and international humanitarian law as outlined in its resolutions No.1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011 and 2017 (2011) of 31 October 2011.

4. Implement the recommendations made by the International Commission of Inquiry on Libya, particularly the appointment of a Special Rapporteur to follow up the situation in the country and to coordinate international action in this respect as outlined in the Commission's report of 8th March 2012 pursuant to Resolution A/HRC/RES/ S-15/1 of 25 February 2011.

5. Request United Nations specialized agencies, in particular the World Food Programme (WFP) and the World Health Organization (WHO) to consider the humanitarian situation in Libya and provide the much needed relief material, especially life-saving medicine. WHO must embark on an extensive vaccination campaign for children in Libya.

6. Request its specialized Working Groups and thematic mandate holders to accord special attention in their work to the situation in Libya. They should investigate allegations of human rights violations namely cases of extrajudicial, summary or arbitrary executions, arbitrary arrests and detention, rape and sexual violence, abuses against migrant workers and the forced displacement of civilians and prevention of certain Libyan citizens from returning to their hometowns and regain access to their properties.

7. Ensure that its future action on Libya provides for adequate measures to combat impunity and hold accountable individuals and groups responsible for the most serious violations of international human rights and criminal law and that the victims of such abuses receive justice, relief and atonement.

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*Omar Al-Mukhtar Human Rights Institute, NGO without consultative status, also shares the views expressed in this statement.